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TERMINAL DISCLAIMER TO OBViate A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional)
004286.00140

In re Application of: Godshaw et al.

Application No. 10/784,349

Filed: February 23, 2004

For: WHEELED COMPUTER CASE

The owner*, Travel Caddy, Inc. d/b/a Travelon, Des Plaines, Illinois of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,695,107. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

July 30, 2004

Signature

Date

Jon O. Nelson

Typed or printed name

(312) 463-5427

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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O I P E
JUL 3 0 2004
PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 110)

Complete if Known	
Application Number	10/784,349
Filing Date	February 23, 2004
First Named Inventor	Godshaw
Examiner Name	Lien Tm Ngo
Art Unit	3727
Attorney Docket No.	004286.00140

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
 Order
 Deposit Account:Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of this application
-
-
- Charge fee(s) indicated below, except for the filing fee
-
- to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	770	385
1002	2002	340	170
1003	2003	530	265
1004	2004	770	385
1005	2005	160	80
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid

Multiple Dependent 0 X 290 = 0

Large Entity	Small Entity	Fee Description	
Fee Code	Fee Code	Fee (\$)	
1202	2202	18 9	
1201	2201	86 43	
1203	2203	290 145	
1204	2204	86 43	
1205	2205	18 9	
SUBTOTAL (2)		(\$ 0)	

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	2051	130 65	Surcharge - late filing fee or oath
1052	2052	50 25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130 130	Non-English specification
1812	1812	2,520 2,520	For filing a request for reexamination
1804	1804	920* 920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840* 1,840*	Requesting publication of SIR after Examiner action
1251	2251	110 55	Extension for reply within first month
1252	2252	420 210	Extension for reply within second month
1253	2253	950 475	Extension for reply within third month
1254	2254	1,480 740	Extension for reply within fourth month
1255	2255	2,010 1,005	Extension for reply within fifth month
1401	2401	330 165	Notice of Appeal
1402	2402	330 165	Filing a brief in support of an appeal
1403	2403	290 145	Request for oral hearing
1451	1451	1,510 1,510	Petition to institute a public use proceeding
1452	2452	110 55	Petition to revive – unavoidable
1453	2453	1,330 665	Petition to revive – unintentional
1501	2501	1,330 665	Utility issue fee (or reissue)
1502	2502	480 240	Design issue fee
1503	2503	640 320	Plant issue fee
1460	1460	130 130	Petitions to the Commissioner
1807	1807	50 50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180 180	Submission of Information Disclosure Stmt
8021	8021	40 40	Recording each patent assignment per property (times number of properties)
1809	2809	770 385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	770 385	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	770 385	Request for Continued Examination (RCE)
1802	1802	900 900	Request for expedited examination of a design application
Other fee (specify) Terminal Disclaimer			110.00

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 110)

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Jon O. Nelson	Registration No. (Attorney/Agent)	24,566	Telephone (312) 463-5427
Signature	Jon O. Nelson		Date	July 30, 2004

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